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REMARKS

Claims 1, 3-12, and 14-33 are pending in the application. By this Amendment, claim 12 is amended to correct a minor deficiency. Reconsideration in view of the following remarks is respectfully requested.

A   The 35 U.S.C. §102(e) Rejection Based on Ellmore

In the present Office Action, claims 12, 14-20 and 33 are rejected under 35 U.S.C. 103(a) as being anticipated by Ellmore (U.S. Patent 7,058,817) in view of Hobbs (U.S. Patent 5,987,454). This rejection is respectfully traversed.

The features of claim 12 are set forth above. Further, the teachings of Ellmore are discussed in Applicant's prior response.

The Asserted New Grounds of Rejection

In the present Office Action, Hobbs is newly applied art, which is applied with Ellmore under 35 U.S.C. 103. Relatedly, on page 13, the Office Action asserts that Applicant's arguments with respect to claims 1, 3-12, and 14-33 have been considered but are moot in view of the new ground(s) of rejection. Based on review of the present Office Action, Applicant traverses such assertion. Various arguments set forth in Applicant's prior response are not rendered moot by the new grounds of rejection, nor have such arguments been addressed in the present Office Action. Rather, as discussed below, the traversed assertions in the prior Office Action have simply been maintained in the current Office Action.

The Assertions in the Office Action Regarding Frames

The Office Action, on pages 2-4 asserts various alleged teachings of Ellmore. In particular, Applicant notes the Office Action's assertions at page 3, line 16. Therein, the Office Action asserts:

In a preferred embodiment, the single sign on processes are used for

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customers of a financial institution to view and conduct transactions with respect to their accounts with the institution. These accounts include but are not limited to checking and savings accounts, mortgages, credit card accounts, investment accounts, online trading, auto loans and leases, home equity loans, personal loans, trust accounts, 401 k accounts and insurance accounts, see col. lines 11-26), the consolidated homepage including a first frame and a second frame (**Although this limitation is not explicitly disclosed by Ell, however, "HTML frame" is nothing but a way to allow authors to present documents in multiple views, which may be independent windows or subwindows. Multiple views offer designers a way to keep certain information visible, while other views are scrolled or replaced. For example, within the same window, one frame might display a static banner, a second a navigation menu, and a third the main document that can be scrolled through or replaced by navigating in the second frame.**

On page 4, line 7, the Office Action further asserts:

Thus, since Ell contemplates the use of HTML (see Col. 4 lines 55-60), Ell can utilize HTML frames to present documents in multiple views), retrieving data for accessing at least one remote server based at least in part on the received login information; transmitting said data to the at least one remote server; authenticating that access by the customer to the at least one remote server is allowed (see fig 4), and transparently connecting the customer to the remote server such that the customer is provided-access to the remote server, by hosting the remote server in a second frame of the interface, so as to allow the customer use of services on the remote server, **the method including simultaneously presenting the first frame, containing the links to the accounts, while presenting the second frame** (see fig. 2 - fig 4, also see the abstract and the summary of the invention),

Applicant traverses various such assertions on various basis, as discussed below.

Further, Applicant submits that such assertions are essentially the same as those assertions set forth in the prior December 28, 2006 Office Action.

As an initial matter, Applicant traverses the Office Action's assertions regarding "HTML frames". Applicant acknowledges that Ellmore does indeed talk regarding use of HTML. However, the Office Action asserts that "since Ell contemplates the use of HTML (see Col. 4 lines 55-60), Ell can utilize HTML frames to present documents in multiple views." Applicant submits that what technology Ellmore can or can't use is simply not the appropriate standard. As set forth in MPEP 2131, "A claim is anticipated only if each and every element as set forth in the

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claim is found, either expressly or inherently described, in a single prior art reference."

Verdegaal Bros. v. Union Oil Co. of California, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed.

Cir. 1987). Applicant submits that Ellmore fails to expressly teach HTML frames. Further,

Ellmore in no way inherently teaches HTML frames. Ellmore fails to support any such

assertion.

Further, on page 4, line 13, the Office Action asserts that authenticating access by the

customer to the at least one remote server is "allowed". Accordingly, the Office Action appears

to be basing the rejection on what is or is not allowed by Ellmore. Applicant again submits that

such is simply not the standard. Anticipation is not based on what is allowed. Rather,

anticipation is based on what is found, either expressly or inherently described, in Ellmore.

In general, Applicant respectfully submits that the basis of the rejection as set forth on

page 3 - page 4, is simply unsupportable for at least the reasons set forth above.

<u>Further Discussion of Claim 12 and the Applied Art</u>

The features of claim 12 are set forth above. In particular, claim 12 recites:

> transparently connecting the customer to the remote server such that the customer
> is provided access to the remote server, by hosting the remote server in a second
> frame of the interface, so as to allow the customer use of services on the remote
> server, the method including simultaneously presenting the first frame, containing
> the links to the accounts, while presenting the second frame.

On page 4, the Office Action cites such features and references Figs. 2 and 4 of the

Office Action, as well as the Abstract and Summary. Applicant submits that such particulars are

not found in such portions of Ellmore.

Ellmore is directed to a system and method for single sign on process for websites with

multiple applications and services. In the Abstract, Ellmore teaches a system and method for

integrating the Internet front end sign on processes of the various systems of a financial

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institution which allows a customer to view and access its various financial accounts with the institution. Ellmore describes during the initial sign up for the online access to its accounts, a customer creates its User ID and password online during the same session. Once the customer has signed on (password) and verified ownership of at least one account, the system displays all of the customer's accounts that are available for access via the Internet website.

Illustratively, in column 3, lines 5-15 (the Summary of the Invention), Ellmore teaches that once a customer has signed up and logged on, the present invention displays all customer accounts that the customer has selected for viewing (including account balances) on an account summary page. This account summary page allows the customer to then navigate to the line of business site to see more details or transact using the account. Once signed up for the online process, customers are able to add additional accounts online once they are available online or once a customer acquires a product. This process may not require additional verification of ownership, depending on where the new product falls in the verification hierarchy.

Further, in column 6, lines 56-66, Ellmore teaches that the customer is shown all of his/her accounts (including business accounts if applicable) that he/she has with the institution. The account information is presented to the customer based on data contained in the customer's CIF profile. After the accounts have been presented to the customer, the customer is given the option to view these accounts using system 100. In addition to the accounts the customer can view, the customer is shown all services (e.g., tax, payroll, wire transfer, and electronic billing services) in which the customer is able to participate. Ellmore teaches further aspects of the CIF account in column 8, lines 18-31.

Further, in column 15, lines 9-47, Ellmore teaches aspects of the account summary page. Ellmore describes that when the user clicks on a specific account to view details, he enters the system for the specific line of business (LOB) (see 190 196 in FIG. 1). On the account summary

screen, the user is presented with a list of their enabled accounts, from which they can make a selection to see more details. They make their selection by clicking on the relevant hyperlinks, which brings the user into the appropriate LOB site supporting the selected product/account. Ellmore teaches that for example, the supporting LOB site could be online banking, mortgage servicing, investment or trading or credit card servicing. This screen also contains summary (balance) information for each of the accounts presented to the customer. This information will vary depending on the type of account.

However, Ellmore fails to teach or suggest all the features as recited in claim 12, and in particular, the last clause of claim 12, as set out above. Applicant notes Ellmore's disclosure of once a customer has signed up and logged on, the invention displays all customer accounts that the customer has selected for viewing (including account balances) on an account summary page, and that this account summary page allows the customer to then navigate to the line of business site to see more details or transact using the account.

While such teachings are of interest, such teachings simply do not describe the particulars as recited in claim 12. Specifically, for example, such teachings of Ellmore do not describe the claimed features relating to the first and second frame and the manipulation thereof.

The Basis of the Rejection is Unclear

The manner in which the applied art is allegedly being combined is not clearly established as to the deficiencies of Ellmore that Hobbs allegedly cures, i.e., under Graham v. John Deere Co. 383 U.S. 1 (1966).

To explain, as set forth in M.P.E.P 706.02(j), 35 U.S.C. 103 authorizes a rejection where, to meet the claim, it is necessary to modify a single reference or to combine it with one or more other references. M.P.E.P 706.02(j) indicates that after indicating that the rejection is under 35 U.S.C. 103, the Examiner should set forth in the Office Action:

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(A) the relevant teachings of the prior art relied upon, preferably with reference to the relevant column or page number(s) and line number(s) where appropriate,

(B) the difference or differences in the claim over the applied reference(s),

(C) the proposed modification of the applied reference(s) necessary to arrive at the claimed subject matter, and

(D) an explanation why one of ordinary skill in the art at the time the invention was made would have been motivated to make the proposed modification.

M.P.E.P 706.02(j) references the well known requirements of Graham v. John Deere. Further, M.P.E.P 706.02(j) notes that it is important for an Examiner to properly communicate the basis for a rejection so that the issues can be identified early and the Applicant can be given fair opportunity to reply.

However, the basis of the rejection of claim 12, as set forth on pages 3-4 of the pending Office Action, fails to set forth the differences between the teachings of Ellmore vis-à-vis the features of claim 12. That is, it is not clear what the Office Action is asserting that Ellmore lacks, and that Hobbs cures, i.e., parts (B) and (C) of the *Graham v. John Deere* analysis are not set forth. Indeed, the Office Action appears to assert that Ellmore teaches all the features of claim 12.

Relatedly, the Office Action generally asserts that "it would have been obvious to one of ordinary skill in the art to combine the teachings of Ell." (see Office Action at page 4, last line). However, such assertion fails to provide sufficient guidance, or essentially any guidance, as to what features of Hobbs are proposed to modify Ellmore.

Applicant does note that the Office Action sets forth:

> ... Hobbs, a secondary reference, explicitly discloses the consolidated homepage including a first frame and a second frame (see col. 17 line 50-col. 18 line 66). ...

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However, even if such feature of Hobbs is intended to modify Ellmore, such fails to support the rejection under 35 U.S.C. 103. That is, claim 12 does not simply set forth the general concept of using a first frame and a second frame. Rather, the claimed invention sets forth various particulars of such displayed frames, as discussed herein. The Office Action fails to set forth the manner in which Ellmore allegedly teaches the claimed invention, and has failed to set forth the manner in which Hobbs is allegedly combined with Ellmore.

Accordingly, Applicant respectfully submits that the applied art fails to teach or suggest the invention as recited in claim 12 for at least the reasons set forth above.

Further, the various dependent claims 14-20 recite patentable subject matter at least for their various dependencies on the independent claims, as well as for the additional subject matter such dependent claims recite.

B.   The 35 U.S.C. §103 Rejection Based on Ellmore, Hobbs and Teper

In the Office Action, claims 1, 3-11 and 21-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ellmore in view of Hobbs, and further in view of Teper et al ('Teper hereinafter, U.S. Patent 5,815,665). This rejection is respectfully traversed.

Teachings of Teper are described in Applicant's prior response. Teper is directed to a system and method for providing trusted brokering services over a distributed network. In the Summary, Teper describes the Teper invention provides a system and method in which Service Providers host their own content as directly-accessible sites (referred to herein as "SP sites") on a distributed network such as the Internet, while relying on a centralized Online Broker site (which implements an Online Brokering Service) to handle user-authentication and billing matters. The system advantageously allows users to purchase online services from the SP sites directly, without having to transmit payment information and other personal information over the distributed network, and without having to reveal such information to the Service Providers from

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which the online services are purchased. In a preferred embodiment the SP sites are in the form of Web sites on the Internet, and the online services available on the Web sites are accessed by the user using a single account (e.g., username and/or password) established between the user and the Online Broker.

Firstly, Applicant submits that the asserted motivation to combine is deficient and is unsupportable. That is, at page 8, last line, the Office Action asserts the motivation to combine:

> ... Thus it would have been obvious to one of ordinary skill in the art to combine the teachings of Ell, Hobbs and Teper to allow users to seamlessly access their online accounts a single login - ID.

It is noted that such motivation is **used to support extensive proposed modifications** of Ellmore based on the teachings of Teper. Further, Applicant notes Ellmore in column 4, lines 6-9. Therein, Ellmore asserts:

> ... The single sign on ID and password that allows access to all of the customer's accounts provides speed of fulfillment, ease of use and reduced customer support for issued or forgotten IDs and passwords. The ability for customers to see all of their accounts with one logon eases the customer experience and enhances customer retention, as well as enhancing cross-sell and up-sell efforts.

Accordingly, the motivation (in the Office Action) is deficient in that Ellmore already possesses the capability, i.e., the desired attributes, used as the basis for motivation. That is, the one of ordinary skill would not be motivated to combine the art to attain a capability that Ellmore already has, albeit, in a different manner than the present claimed invention. Without proper motivation, the rejection is not supportable. Further, such argument was set forth in Applicant's March 28, 2007 Response, and is simply not addressed in the current Office Action. That is,

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even though Hobbs is added as a secondary rejection, such traversed basis of rejection remains.

Further, claim 1 recites:

> upon selection of a link by a customer, the universal session manager:
> checks, based on information in the validation database, that the customer is allowed access to the remote server;
> provides access to the remote server, by hosting the remote server in a second frame of the interface, so as to allow the customer use of services on the remote server; and
> simultaneously presents the first frame, containing the links to the accounts, while presenting the second frame.

Thus, such features relate to a specific manipulation, by the universal session manager, of the first and second frames, and attributes associated therewith. The Office Action fails to fairly address such particulars. That is, Applicant notes, for example, the Office Action on page 8, line 8, that Hobbs teaches an interface having multiple frame. However, as discussed above, the claimed invention does not merely recite multiple frames. Rather, claim 1 recites multiple frames and particular attributes associated with such multiple frames.

Further, the Office Action (page 8, line 10) asserts that Teper's element 88 constitutes the claimed "universal session manager". However, the element 88, as referenced in the rejection cannot constitute the claimed universal session manager. Indeed, at column 11, line 60, Teper describes that "block 88" is representative of a process of charging a user. Teper clearly fails to teach a universal session manager and the particulars of claim 1.

Further, it appears that the Office Action is proposing to modify Ellmore with the teachings of an alleged universal session manager of Teper. Applicant submits that to then further modify such alleged universal session manager (so as to teach the particulars of claim 1) would be a modification of a modification. Applicant submits that such two stepped modification clearly extends beyond what would have been obvious to the one of skill in the art.

Based on the various reasons set forth above, Applicant submits that the rejections are

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unsupportable as to claim 1, as well as claim 12. Further, the various dependent claims 3-11 and

21-32 recite patentable subject matter at least for their various dependencies on the independent

claims, as well as for the additional subject matter such dependent claims recite.

For example, Applicant again notes claim 29. Claim 29 recites:

> .... the universal session manager checking whether the customer has logged into
> the remote server during a current Internet banking session includes:
>   the universal session manager checking a session activity table of the
> customer.

The Office Action rejects claim 29 on page 12. Teper fails to describe such features, as alleged

in the Office Action, and thus clearly cannot cure the deficiencies of Ellmore as to such features.

That is, the element 60, as referenced in such rejection is simply the online broker 60. Further

the other referenced disclosure of Teper fail to teach such specifics. Clarification of the basis of

such assertions is requested. Indeed, the Office Action does not even appear to allege that the

applied art teaches the features of claim 29.

Withdrawal of the 35 U.S.C. §103 rejection is respectfully requested.
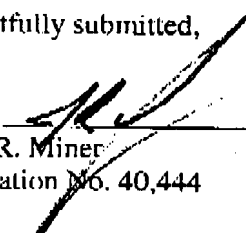
C.   Conclusion

For at least the reasons outlined above, Applicant respectfully asserts that the application

is in condition for allowance. Favorable reconsideration and allowance of the claims are

respectfully solicited.

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It is believed that no fee is due in connection with this filing. However, if it is

determined otherwise, the Commissioner is hereby authorized to charge our Deposit Account

No. 50-0206.

Respectfully submitted,

Date: _9/20/07_

By: _____
James R. Miner
Registration No. 40,444

HUNTON & WILLIAMS LLP
1900 K Street, N.W.
Suite 1200
Washington, D.C. 20006-1109
Telephone: 202. 955.1500
Facsimile: 202.778.2201

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